

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Charles Dodt, Jr. and
Kristen Dodt,

Plaintiffs

v.

Creditors Financial Group, LLC,

Defendant

FILED ELECTRONICALLY

COMPLAINT

I. Introduction

1. This is an action for damages brought by individual consumers for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“the Act”) which prohibits debt collectors from engaging in abusive, unfair, and deceptive practices.

II. Jurisdiction and Venue

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this district is proper in that Defendant transacts business here and the conduct complained of is alleged to have occurred here.

III. Parties

4. Plaintiff Charles Dodt, Jr. is a natural person residing at 415 Chestnut Ave., Hawley, PA 18428. Kristen Dodt is married to and resides with Charles Dodt, Jr.

5. Defendant, Creditors Financial Group, LLC, (“the Collector”) is a limited liability corporation engaged in the business of collecting debts in this state with a place of business located at 3131 South Vaughn Way, Ste. 110, Aurora, CO 80014.

6. The Collector is a “debt collector” as defined by the Act, 15 U.S.C. § 1692a(6).

IV. Statement of Claim

7. On or before October 16, 2008, the Collector began attempting to collect an alleged account (“the Account”) from Plaintiffs.

8. The Account is a “debt” as that term is defined by the Act, 15 U.S.C. §1692a(5).

9. The collector regularly uses the telephone and mails to attempt to collect consumer debts alleged to be due another.

10. On October 16, 2008, the Collector caused a telephone call ("*Call One*") to be placed to phone number(s) (570) 228-6422 and/or (570) 226-1727.

11. On October 20, 2008, the Collector caused a telephone call ("*Call Two*") to be placed to phone number (570) 228-6422 and/or (570) 226-1727.

12. The aforementioned phone number(s) were assigned to the address identified in paragraph 4 at all times relevant to this matter.

13. During both *Call One* and *Call Two* (collectively "*the Calls*"), an employee of the Collector left a message ("*the Messages*") for Plaintiff.

14. 15 U.S.C. § 1692e(11) requires a debt collector to disclose that the communication is from a debt collector in each communication with a consumer.

15. In both of *the Messages*, the caller failed to disclose that the call was from a debt collector.

16. In both of *the Messages*, the caller failed to provide the disclosure required by 15 U.S.C. § 1692e(11).

17. *The Calls* and *Messages* were attempts to collect the Account.

WHEREFORE, Plaintiffs demand judgment against Defendant for damages, costs, attorney's fees, and such other and further relief as the Court deems just and proper.

V. Demand for Jury Trial

18. Plaintiffs demand a trial by jury as to all issues so triable.

Respectfully Submitted,

s/ Kenneth W. Pennington
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